MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

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California Department of Water Resources, Urban Water Use Efficiency Unit
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Subject: Comments on the Updated Model Water Efficient Landscape Ordinance Dated June 12, 20154

The Municipal Water District of Orange County (MWDOC) appreciates the opportunity to provide the California Department of Water Resources (DWR) comments regarding the Draft Model Water Efficient Landscape Ordinance (Draft MWELO) dated June 12, 2015. In light of our current multiple year drought, we support updating the Model Water Efficient Landscape Ordinance to maximize the efficient use of our precious and limited water supplies.

It is important to note that the ordinance is a "design standard" for new or rehabilitated landscape projects. This does not contain provisions for performance over time once the landscape is installed or rehabilitated. In addition, expected water savings from the ordinance in Orange County will be minimal due to our current level of build-out. There is much more that can be done to save water in California. To maximize water savings, we believe DWR should work with water agencies to establish "Efficiency Targets" for all existing and new development coupled with ongoing performance reporting of actual water use compared to the efficiency target. We are not advocating for rate structure requirements. We are advocating for an educationally based approach to inform consumers of how much water is considered an efficient level of use, compared to their actual use. We welcome additional dialogue on this concept before we experience our next drought. DWR's Urban Stakeholder Committee would be the appropriate technical body of knowledge to advance this concept.

Focusing on the Draft MWELO, MWDOC asks the DWR to consider the following modifications:

1. §490.1(a) - The timeframe to adopt and implement the updated ordinance by November 1st is not feasible and should be extended at least 3 months to February 1, 2016 to allow for adoption of regionally crafted ordinances. MWDOC and the Association of California Cities OC Chapter will again be working together to update the Orange County Model Water Efficient Landscape Ordinance (OCMWELO) through a broad stakeholder process. The Orange County stakeholder process was instrumental in assisting all cities in Orange County to comply with AB 1881. We intend to utilize the same stakeholder process for this update, but need sufficient time to engage stakeholders and complete the OCMWELO update.

2. §490.1 (b) (4) - This section should also include a specific reference to heritage trees that are not considered part of an arboretum.

3. §491 (i) and (nn) - The flow rates for drip irrigation and low-volume irrigation should be specifically defined, for example, having a flow rate not to exceed 2 gallons per hour.

4. §492.7(1)(A) - Dedicated landscape water meters should be utilized by the local water purveyor to maximize awareness of the volume of water use and the ability for the water purveyor to provide ongoing monitoring of actual water use. Privately owned meters, such as sub-meters may only be used periodically and are not likely to be maintained like a meter provided by the local water purveyor.

5. §492.6(a)(1)(H) - The use of invasive and/or noxious plant species should be prohibited, not strongly discouraged, to protect the broader watershed and avoid expensive and time-consuming removal efforts.

6. §491 (b) and §492.7(a)(1)(B) - The term, automatic irrigation controller is more general and includes any type of time-based system. The device types with weather and soil moisture based controls are more specifically referred to as "smart" irrigation technologies, a subset of automatic irrigation controllers. Automatic weather based irrigation controllers should be EPA Water Sense certified to maximize water savings. Additionally, Water Sense soil-moisture based control technologies should be required once EPA adopts protocols for their certification.

7. §492.10(a) – Add a requirement that the Irrigation schedules be placed and maintained in the appropriate irrigation controller housing for current and future field maintenance staff use.

8. §492.10(a) - Add a requirement that the hydrozone maps be placed and maintained in the appropriate irrigation controller housing to ensure this information is readily accessible for field staff use. These maps should include all information necessary to develop an irrigation schedule or water budget/efficiency target as listed in Sections 492.10(a)(4) and (5).

9. §492.9(c)(new) – At the option of the retail water agency, require the Landscape Documentation Package also be submitted to and maintained by the retail water agency serving water to the site. This will help facilitate the establishment of a water efficiency target for that customer.

10. §491 (bb) and §492.13 - The irrigation efficiency levels stated in the revised document are unattainable beyond designing a system, both .85 and .92 are too high to be achieved. Further, it would be beneficial to list audit criteria that would be associate with determination of the irrigation efficiency value, for example, specific DULQ or DULH thresholds or recommendations. Consider citing the Irrigation Association Landscape Best Management Practices 2.0

11. §492.6 (a) (1) (F) Where sub-surface irrigation is utilized for parkway, flow-sensing technology or other means of leak detection should be recommended.

12. §492.7 (a) (1) (C) - Add the following "All sprinklers and emission devices should comply with the ASABE/ICC 802-2014 Landscape Irrigation Sprinkler and Emitter Standard."

13. §492.7 (a) (1) (M) - While the new statement "The irrigation system must be designed and installed in such a manner that a precipitation rate of 1.0 inches per hour is not exceeded in any portion of the landscape..." is a good addition the following caveats should be included to provide a more comprehensive and attainable result "...that is irrigated with spray, micro-spray, or drip emission devices. Larger landscape areas (i.e. sports fields or recreation park spaces) utilizing rotor heads must be designed and installed in such a manner that a precipitation rate of 2.0 inches per hour is not exceeded.

14. §492.7 (a) (1) (G) - Flow sensing is only cost efficient for commercial landscapes or residential landscapes over 5,000 square feet.

15. §492.7 (a) (1) (G) and (H) - We support the drafts revisions to require master valves for all landscapes.

16. §492.11 and §492.12 - Recommend including routine (annual or biennial) audits as part of the standard maintenance practices for the property owner. DWR should also develop a sample landscape contract template with performance standards based on the MWELO, and encourage local agencies to make it available and encourage the use of performance-based contracts. This would assist in compliance with the ongoing maintenance and performance of the site. The CUWCC Landscape Committee and CLCA may be good resources to assist DWR in this effort.

17. 492.15 - Graywater systems should not simply "assist" in on-site irrigation, they should "offset" irrigation supplied by potable water. Local agencies, developers and landscape contractors should coordinate with the local water purveyors to determine whether there is an extensive recycled water distribution system in place. If so, graywater systems may not be an appropriate choice to enhance the local water efficiency.

18. §493 – Consider adding the following underlined text to further clarify this section: (a) A local agency may designate another agency, such as a water purveyor, *with the water purveyors' agreement*, to implement some or all of the requirements contained in this ordinance.

We sincerely appreciate your consideration of these recommendations. Should you have any questions, please call Joe Berg, Water Use Efficiency Programs Manager at (714) 593-5008 or Dr. Melissa Baum-Haley, Water Use Efficiency Program Specialist at (714) 593-5016.

Best Regards,

Robert J. Hunter